

United States Senate

WASHINGTON, DC 20510-3004

June 27, 2008

Andrew C. von Eschenbach, M.D.
Commissioner
Food and Drug Administration
5600 Fishers Lane
Rockville, Maryland 20857

Dear Dr. von Eschenbach:

Earlier this week, three New Jersey residents, including a 7-year-old and a 2-year-old, tested positive for the salmonella strain spreading across this country through tainted tomatoes. Over 600 people nationwide have grown ill from food they presumed to be safe. As the agency tasked with maintaining the safety of our national produce supply, the Food and Drug Administration (FDA) must do a better job of answering the many questions that have been raised by this outbreak and preventing such outbreaks in the future. On behalf of my constituents in New Jersey, I write today seeking the answers to these questions and a plan to prevent these instances in the future.

While I am happy to say none of these tainted tomatoes were grown in my home state, I am baffled as to why this produce is still on the market. The first report of contamination was back in April. Since then we have seen the number of infected consumers continue to grow from 228 at the beginning of the outbreak, to 383 a few weeks ago, to now over 600 men, women, and children across 30 states. How many people have to get sick before the FDA finally solves this problem? And how is it that over a month since the initial outbreak you still have not identified the source of the contamination? The FDA must be able to provide the public with full and complete information on the food in question and how best to protect America's families.


I am relying on your answers so that we can finally put an end to this problem and hopefully prevent similar outbreaks in the future.

My questions include:

- When did you first become aware of the salmonella outbreak in tomatoes?
- What steps have you taken or are you taking to finally find the source of this contamination?
- Is the FDA taking any steps to increase screenings or testing of imported tomatoes?
- Is it still safe for consumers to eat tomatoes from Florida and Mexico?
- What are the exact steps the FDA is taking to prevent further infections?

I thank you in advance for your response. It is critical that you quickly address this problem to avoid any future illnesses – especially in children. The longer these questions go unanswered, the more the public's trust in our food safety system is shaken.

Sincerely,



ROBERT MENENDEZ
United States Senator

